

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ROCK FERRONE, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	Civil Action No. 05-303
	)	
v.	)	Chief Judge Ambrose
	)	Magistrate Judge Caiazza
DAN ONORATO, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**MEMORANDUM ORDER**

On August 23, 2006, this case was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.


On September 6, 2007, the magistrate judge issued a Report (Doc. 77) recommending that the Defendants' Motion for Summary Judgment (Doc. 68) be granted regarding the Plaintiffs' federal claims, and that the District Court decline to exercise supplemental jurisdiction over the state law claims.

Service of the Report and Recommendation was made on the parties, and the Plaintiffs filed objections on September 24, 2007. *See* Doc. 80.

After a *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation and the objections thereto, the following Order is entered:

AND NOW, on this 9th day of Oct., 2007, IT IS HEREBY

ORDERED that the Defendants' Motion for Summary Judgment (**Doc. 68**) is **GRANTED** regarding the Plaintiffs' federal claims; the Plaintiffs' Motion to Amend/Correct the Complaint (**Doc. 81**) is **DENIED AS MOOT** based on the analyses in the magistrate judge's Report and Recommendation dated September 6, 2007, which is adopted as the opinion of the District Court; and the District Court declines to exercise supplemental jurisdiction over the Plaintiffs' state law claims.<sup>1</sup>



Donetta W. Ambrose  
Chief United States District Judge

cc:

Gianni Floro, Esq.  
Michael H. Wojcik, Esq.  
Caroline Liebenguth, Esq.  
Craig E. Maravich, Esq.

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<sup>1</sup> The District Court also reaffirms the denial of the Plaintiffs' Motion for Sanctions based on the Spoliation of Evidence (Doc. 79), for the same reasons stated in the magistrate judge's detailed text-Order dated September 10, 2007.